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09/874,680	06/05/2001	Laura R. Whitby	81513PCW	7981

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EXAMINER

TRAN, NHAN T

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 12/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/874,680	Applicant(s) WHITBY ET AL.	
	Examiner Nhan T. Tran	Art Unit 2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 October 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-13,15-22 and 24-59 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 32-59 is/are allowed.
- 6) ☒ Claim(s) 1,3-13,15-22,24-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 10/3/2005 with respect to claims 1, 3-13, 15-22, 24-31 have been fully considered but they are not persuasive.

The Applicant argues that Berstis does not teach that a camera is constructed as a battery pack, Berstis only teaches that a camera uses a battery as a power supply. The Applicant further asserts that there is no motivation or suggestion in Berstis to construct a camera as a battery pack (remarks, pages 11-12).

In response, the Examiner respectfully clarifies the Office Action. Berstis teaches a digital camera (102) shown in Figs. 1 & 2 having an internal battery that is **rechargeable** via connector 219 (see col. 3, lines 9-17). Berstis also discloses a docking station (cradle 106) for receiving the digital camera (102) **during recharging the battery** (col. 2, lines 15-23). It is clear that the internal battery has a housing/casing as the digital camera body (102) that must be placed on the docking station (106) for recharging. Thus, the digital camera (102) represents one kind of battery pack in general. It is also noted that docking station in **Brake** is configurable to receive **different sizes and types of batteries** (see Brake, Fig. 4; col. 10, lines 30-42).

Therefore, the combination of Brake and Berstis is supportive and proper.

2. Applicant's arguments filed 10/3/2005 with respect to new claims 32-59 have been fully considered and are persuasive. Therefore, new claims 32-59 are allowable over the prior art of record.

Claim Objections

3. Claim 11 is objected to because of the recitation of "...each insert mating with **both** the base portion on a first side and with one of a plurality of differently shaped digital cameras on a second side,..." which should be changed to -- ...each insert mating with **both** the base portion on a first side and with one of a plurality of differently shaped digital cameras on a second side,...--. Additionally, listing character "a)" should be removed.

4. Claim 41 is also objected because the recitation of "...each insert mating with **both** the base portion on a first side and each mating with one of a plurality of differently shaped digital cameras on a second side,..." which should be changed to -- each insert mating with **both** the base portion on a first side and ~~each mating with~~ one of a plurality of differently shaped digital cameras on a second side,...--. Additionally, a comma should be placed in front of "each insert" and listing character "a)" should be removed.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 3-13, 15-22 & 24-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brake et al (US 5,734,253) in view of Berstis (US 6,721,001).

Regarding claim 1, Brake discloses a docking station assembly for receiving a battery pack (see Figs. 3 & 4), the docking station comprising:

a) a housing for forming a base portion (20, 25) for the docking station assembly and said housing includes an insert-receiving portion (Fig. 4) for receiving any of a plurality of removable and replaceable inserts (e.g., charging stations 30, 40, 50 & 60 shown in Fig. 4, col. 4, lines 51-63);

b) a plurality of differently shaped, removable and replaceable inserts (col. 10, lines 30-46, wherein different sizes and types of charging stations corresponding to different sizes and types of batteries) each having a docking mating portion on a first side (i.e., a bottom side of insert 60) which mates with the insert-receiving portion (see Fig. 4), and each insert having a uniquely shaped battery pack mating portion on a second side (i.e., upper or top side of the insert 60) and each second side having a shape substantially of a portion of a differently shaped battery pack to which the removable and replaceable insert mates (see Figs. 3 & 4 and col. 10, lines 30-46).

Brake does not teach that the docking station assembly is for receiving a digital camera. However, as taught by Berstis, a digital camera comprises an internal battery which has the digital camera body (102) as a housing/casing to be placed on a docking station (106) for recharging of the battery in a conventional fashion (see Berstis, Figs. 1 & 2; col. 2, lines 15-39 and col. 3, lines 9-17).

Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Brake and Berstis to construct a docking station assembly for not only receiving a plurality of differently shaped regular battery packs but also receiving a plurality of differently

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shaped digital cameras **having internal batteries** for charging the batteries in a conventional fashion so that a highly operable docking station would be realized.

Regarding claim 3, it is clear in Brake that the insert receiving portion is a notched-out portion (see Fig. 4).

Regarding claim 4, Brake in view of Berstis shows a light indicator (see Brake, Figs. 3 & 4) for indication charging of the digital camera.

Regarding claim 5, it is seen that the digital camera 100 in Berstis is a wireless device since it can operate on its own battery without any wire connection.

Regarding claim 6, both Brake and Berstis disclose an electrical connection disposed on the housing for connection to the digital camera. See Figs. 4-6 in Brake and Fig. 1 in Berstis.

Regarding claim 7, Brake further discloses a floor of the insert having a notched-out portion through which the electrical connection passes (see Brake, Fig. 4).

Regarding claim 8, Brake in view of Berstis further discloses that the docking station comprises one of more stabilizing elements for providing stable support for connection of the digital camera to the insert (see Fig. 4 in Brake, wherein four sides of indent act as stabilizing elements).

Regarding claim 9, Brake in view of Berstis also discloses an electrical cable (116) attached to housing for transmitting digital signals (see Berstis, Fig. 1, col. 2, lines 15-39).

Regarding claim 10, both Brake and Berstis clearly disclose a power cable attached to the housing for transmitting electrical power to the housing (see Fig. 1 in Berstis or Fig. 6 in Brake).

Regarding claims 11 & 12, see the analyses of claims 1 & 3.

Regarding claim 13, it is clear that the first side and second side are on substantially opposite sides to each other (see Brake, Figs. 3 & 4).

Regarding claims 15-21, see the analyses of claims 4-10, respectively.

Regarding claim 22, see the analysis of claim 1, wherein a first digital camera and a second digital camera are *respectively* received by replaceable inserts having sizes and shapes corresponding to the models of the first and second digital cameras.

Regarding claims 24-31, see the analyses of claims 3-10, respectively.

Allowable Subject Matter

6. Claims 32-59 are allowed. *It is noted that claim 41 must be amended to comply with the claim objection set above.*

The following is an examiner's statement of reasons for allowance:

Regarding independent claim 32, the prior art of record fails to teach or fairly suggest the combination of all limitations for a docking station assembly for receiving a digital camera required in claim 32 that includes **"...a plurality of differently shaped, removable, replaceable, and wireless inserts each having a docking mating portion on a first side which mates with the insert-receiving portion, and each insert having a uniquely shaped camera mating portion on a second side and each second side having a shape substantially of a portion of a differently shaped digital camera to which the removable and replaceable insert mates."**

Regarding independent claim 41, the prior art of record also fails to teach or fairly suggest the combination of all limitations for a docking station assembly for receiving a digital camera required in claim 41 that includes **"...said base portion includes a notched-out portion mateable with each of a plurality of differently shaped, removable, replaceable and wireless inserts, each insert mating with both the base portion on a first side and ~~each mating with~~ one of a plurality of differently shaped digital cameras on a second side, wherein each second side includes a unique shape corresponding to one of the differently shaped digital cameras."**

Regarding claim 51, the prior art of record also fails to fails to teach or fairly suggest the combination of all limitations for a docking station assembly for receiving a digital camera

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required in claim 51 that includes “...a first removable, replaceable and wireless insert having a docking mating portion on a first side mated with the insert-receiving portion, and having a camera mating portion on a second side having a first shape unique to a portion of a first digital camera; wherein the first digital camera is mated to the camera mating portion; and c) a second removable, replaceable and wireless insert substitutable for the first insert, and the second insert includes a docking mating portion on a first side mateable with the insert-receiving portion, and having a camera mating portion on a second side having a second shape unique to a second digital camera which second shape is different from the first shape.”

Regarding claims 33-40, these claims directly or indirectly depend from claim 32.

Regarding claims 42-50, these claims directly or indirectly depend from claim 41.

Regarding claims 52-59, these claims directly or indirectly depend from claim 51.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhan T. Tran whose telephone number is (571) 272-7371. The examiner can normally be reached on Monday - Thursday, 7:30am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NT.


DAVID OMETZ
SUPERVISORY PATENT EXAMINER